

**DECLARATION**

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHODS FOR TREATING OR PREVENTING PAIN AND ANXIETY** the specification of which        is attached hereto or X was filed on August 4, 2000 as Application No. 09/631,747 and was amended on                      (if applicable).

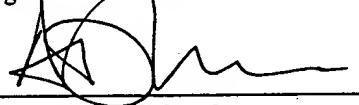
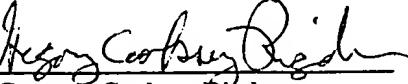
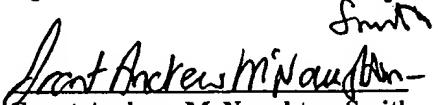
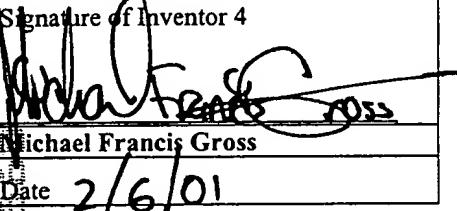
I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/147,221	August 4, 1999
60/158,712	October 8, 1999
60/165,847	November 16, 1999

Full Name of Inventor 1:	Last Name: <b>Wickenden</b>	First Name: <b>Alan</b>	Middle Name or Initial: <b>David</b>
Residence & Citizenship:	City: <b>Cary</b>	State/Foreign Country: <b>North Carolina</b>	Country of Citizenship: <b>United Kingdom</b>
Post Office Address:	Post Office Address: <b>101 Gorecki Place</b>	City: <b>Cary</b>	State/Country: <b>NC</b> Postal Code: <b>27513</b>
Full Name of Inventor 2:	Last Name: <b>Rigdon</b>	First Name: <b>Gregory</b>	Middle Name or Initial: <b>Cooksey</b>
Residence & Citizenship:	City: <b>Durham</b>	State/Foreign Country: <b>North Carolina</b>	Country of Citizenship: <b>United States</b>
Post Office Address:	Post Office Address: <b>2303 Fletcher's Chapel Road</b>	City: <b>Durham</b>	State/Country: <b>NC</b> Postal Code: <b>27704</b>
Full Name of Inventor 3:	Last Name: <b>McNaughton-Smith</b>	First Name: <b>Grant</b>	Middle Name or Initial: <b>Andrew</b>
Residence & Citizenship:	City: <b>Morrisville</b>	State/Foreign Country: <b>North Carolina</b>	Country of Citizenship: <b>United Kingdom</b>
Post Office Address:	Post Office Address: <b>2215-H Duckpond Circle</b>	City: <b>Morrisville</b>	State/Country: <b>NC</b> Postal Code: <b>27560</b>
Full Name of Inventor 4:	Last Name: <b>Gross</b>	First Name: <b>Michael</b>	Middle Name or Initial: <b>Francis</b>
Residence & Citizenship:	City: <b>Durham</b>	State/Foreign Country: <b>North Carolina</b>	Country of Citizenship: <b>United States</b>
Post Office Address:	Post Office Address: <b>6000 Chesden Drive</b>	City: <b>Durham</b>	State/Country: <b>NC</b> Postal Code: <b>27713</b>

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1	Signature of Inventor 2	Signature of Inventor 3
	 Gregory Cooksey Rigdon	 Grant Andrew McNaughton-Smith
Alan David Wickenden		
Date 2/6/01	Date 2-6-2001	Date 2/6/01
Signature of Inventor 4		
		
Michael Francis Gross		
Date 2/6/01		

SF 1122252 v1

**ASSIGNMENT OF PATENT APPLICATION**

**JOINT**

WHEREAS, Alan D. Wickenden, of 101 Gorecki Place, Cary, NC 27513; Gregory C. Rigdon, of 2303 Fletcher's Chapel Road, Durham, NC 27704; Grant A. McNaughton-Smith, of 2215-H Duckpond Circle, Morrisville, NC 27560; and Michael F. Gross, of 6200 Chesden Drive, Durham, NC 27713; hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention:           **METHODS FOR TREATING OR PREVENTING PAIN  
AND ANXIETY**

Date(s) of execution of Declaration:

Filing Date:                 August 4, 2000

Application No.:           09/631,747; and

WHEREAS, ICAgen, Inc., a corporation of the state of Delaware, located at 4222 Emperor Boulevard, Suite 460, Durham, NC, 27703, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8<sup>th</sup> Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

Joint Assignment  
Attorney Docket No.: 018512-006600US  
Page 2

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 2-6-2001



---

Alan D. Wickenden

SIGNATURE WITNESSED BY:

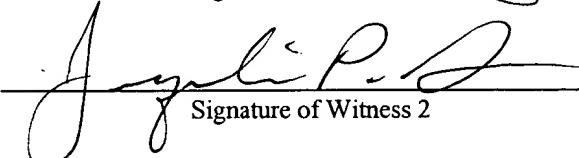
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Signature of Witness 1

(2) Date: 2/6/01



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Signature of Witness 2

Dated: 2-6-2001

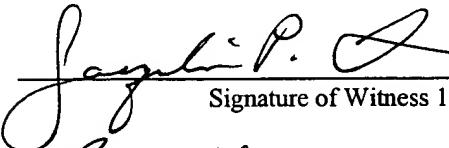


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Gregory C. Rigdon

SIGNATURE WITNESSED BY:

(1) Date: 2-6-2001



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Signature of Witness 1

(2) Date: 2-6-2001

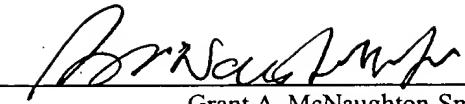


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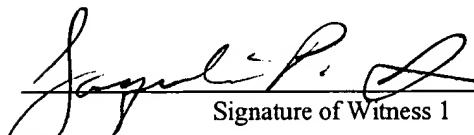
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Page 3

Dated: 2/6/01

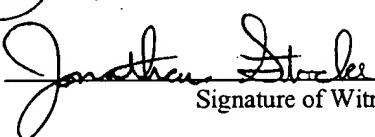
  
Grant A. McNaughton-Smith

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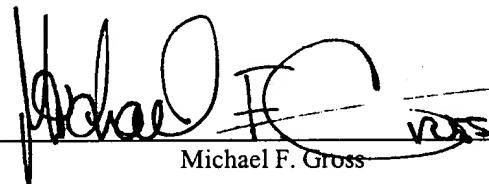
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Signature of Witness 1

(2) Date: 2/6/01

  
Signature of Witness 2

Dated: 2/6/01

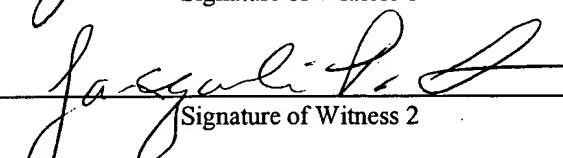
  
Michael F. Gross

SIGNATURE WITNESSED BY:

(1) Date: 2/6/01

  
Signature of Witness 1

(2) Date: 2/6/01

  
Signature of Witness 2

POWER OF ATTORNEY BY ASSIGNEE

ICAgan, Incorporated is the Assignee of the invention entitled: METHODS FOR TREATING OR PREVENTING PAIN AND ANXIETY, the specification of which        is attached hereto or X was filed on August 4, 2000 as Application Serial No. 09/631,747.

Assignee hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Annette S. Parent, Reg. No. 42,058  
Kenneth A. Weber, Reg. No. 31,677  
William B. Kezer, Reg. No. 37,369  
Jeffry S. Mann, Reg. No. 42,837

Send Correspondence to:	Direct Telephone Calls to:
Annette S. Parent, Esq. TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8 <sup>th</sup> Floor San Francisco, CA 94111-3834	Annette S. Parent, Esq. Reg. No. 42,058 (415) 576-0200

ICAgan, Incorporated

Date: Feb 1 2001

By: P. K. Wagner  
(Signature)  
Name: P. K. Wagner  
Title: CEO

**CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**

Applicants: Alan D. Wickenden, Gregory C. Rigdon, Grant A. McNaughton-Smith, and Michael F. Gross

Application No.: 09/631,747

Filed: August 4, 2000

For: METHODS FOR TREATING OR PREVENTING PAIN AND ANXIETY

ICAGen, Incorporated, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is assignee of the patent application identified above by virtue of either:

A. X An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame(s) \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.    A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date : Feb 1 2001

Name : P Kay Wagner

Title : CEO

Signature: [Signature]

**ASSIGNMENT OF PATENT APPLICATION**

**JOINT**

WHEREAS, Alan D. Wickenden, of 101 Gorecki Place, Cary, NC 27513; Gregory C. Rigdon, of 2303 Fletcher's Chapel Road, Durham, NC 27704; Grant A. McNaughton-Smith, of 2215-H Duckpond Circle, Morrisville, NC 27560; and Michael F. Gross, of 6200 Chesden Drive, Durham, NC 27713; hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

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Date(s) of execution of Declaration:

Filing Date: **August 4, 2000**

Application No.: **09/631,747; and**

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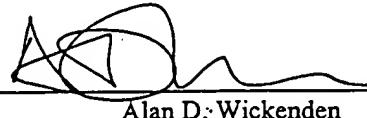
Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8<sup>th</sup> Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

NOT FOR RECORDATION

Joint Assignment  
Attorney Docket No.: 018512-006600US  
Page 2

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

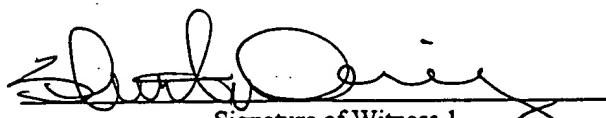
Dated: 2-6-2001



Alan D. Wickenden

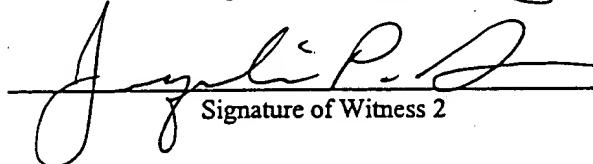
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(1) Date: 2-6-01



Signature of Witness 1

(2) Date: 2/6/01



Signature of Witness 2

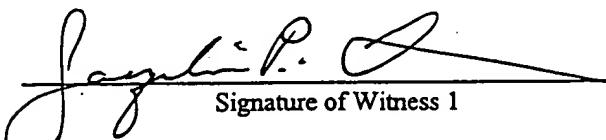
Dated: 2-6-2001



Gregory C. Rigdon

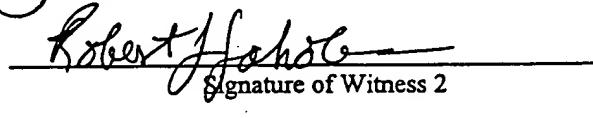
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(1) Date: 2-6-2001



Signature of Witness 1

(2) Date: 2-6-2001



Signature of Witness 2

Joint Assignment  
Attorney Docket No.: 018512-006600US  
Page 3

Dated: 2/6/01

Grant A. McNaughton-Smith  
Grant A. McNaughton-Smith

SIGNATURE WITNESSED BY:

(1) Date: 2/6/01

Jayne L. P. S.  
Signature of Witness 1

(2) Date: 2/6/01

Jonathan Stocker  
Signature of Witness 2

Dated: 2/6/01

Michael F. Gross  
Michael F. Gross

SIGNATURE WITNESSED BY:

(1) Date: 2/06/01

Jonathan Stocker  
Signature of Witness 1

(2) Date: 2/6/01

Jayne L. P. S.  
Signature of Witness 2

MW  
2.20.01

03-14-2001



By Docket No.: 018512-006600US

FORM PTO-1595  
(Rev. 6-53)

101635309

To the Honorable Asst. Commissioner for Patents. Please record the attached original documents or copy thereof

U.S. Department of Commerce  
Patent and Trademark Office

1. Name of conveying party(ies):

Alan D. Wickenden, Gregory C. Rigdon,  
Grant A. McNaughton-Smith, and Michael F. Gross

Additional name(s) of conveying parties attached?  Yes  No.

3. Nature of conveyance:

- Assignment  Merger  
 Security Agreement  Change of Name  
 Other:

Execution Date: February 6, 2001

2. Name and address of receiving party(ies)

Name: ICAgen, Incorporated

Internal Address:

Street Address: 4222 Emperor Boulevard, Suite 460

City: Durham State: North Carolina ZIP: 27703

Additional names and addresses attached?  Yes  No

4. Application Number(s) or Patent Numbers.

If this document is being filed together with a new application, the execution date of the application is: N/A

A. Patent Application No(s): 09/631,747

B. Patent No(s):

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Annette S. Parent, Esq.  
TOWNSEND AND TOWNSEND AND CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
(415) 576-0200

6. Total number of applications and patents involved: ONE

7. Total fee (37 CFR 3.41): ----- \$40.00

Enclosed  Charge Fees to Deposit Account

Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account.

8. Deposit account number: 20-1430

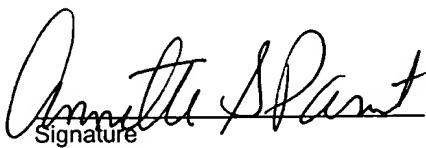
DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true copy of the original document.*

Annette S. Parent  
Name of Person Signing

Atty. Reg. No. 42,058

  
Signature

2/15/01  
Date

Total number of pages including cover sheet, attachments and document 4

10. Change Correspondence Address to that of Part 5?  Yes  No

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover to:

Asst. Commissioner for Patents  
Box: Assignments  
Washington, D.C. 20231

SF 1186064 v1

2001-01-10 00077 00176 000187



018512-006600US  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MAY 16, 2001

PTAS

TOWNSEND AND TOWNSEND AND CREW LLP  
ANNETTE S. PARENT, ESQ.  
TWO EMBARCADERO CENTER, 8TH FLOOR  
SAN FRANCISCO, CALIFORNIA 94111-3834



\*101635309A\*

A Parent  
JC979 U.S. PTO  
09/939230  
08/24/01

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/20/2001

REEL/FRAME: 011573/0413  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
WICKENDEN, ALAN D.

DOC DATE: 02/06/2001

ASSIGNOR:  
RIGDON, GREGORY C.

DOC DATE: 02/06/2001

ASSIGNOR:  
MCNAUGHTON-SMITH, GRANT A.

DOC DATE: 02/06/2001

ASSIGNOR:  
GROSS, MICHAEL F.

DOC DATE: 02/06/2001

ASSIGNEE:  
ICAGEN INCORPORATED  
4222 EMPEROR BOULEVARD, SUITE 460  
DURHAM, NORTH CAROLINA 27703

SERIAL NUMBER: 09631747  
PATENT NUMBER:

FILING DATE: 08/04/2000  
ISSUE DATE:

DOROTHY RILEY, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS